

State of Alaska FY2007 Governor's Operating Budget

Department of Health and Social Services Hearings and Appeals Component Budget Summary

Component: Hearings and Appeals

Contribution to Department's Mission

The Office of Hearings and Appeals (OHA) provides statutorily required hearings for the entire department. The OHA primarily provides hearings for health care facility appeals of Medicaid payment rates and client appeals of Medicaid and Public Assistance.

Core Services

- Health care facility appeals of Medicaid payment rates and audit findings are formal hearings governed by the Administrative Procedure Act, AS 44.62.990 et seq. These hearing are conducted by a hearing examiner with the qualification specified in AS 44.62.350, which requires that a hearing officer be unbiased, impartial, experienced in general practice of law, and admitted to practice law for at least two years immediately preceding appointment. After receiving the evidence and arguments, the hearing examiner prepares a proposed decision for submission to the Commissioner. The Commissioner's decision is the final administrative action and may be appealed to Superior Court.
- Client appeals of actions by the Division of Public Assistance and the Division of Health Care Services are adjudicated in fair hearings mandated by a number of federal and state regulations. A fair hearing may be requested concerning one or more of the following programs: Adult Public Assistance, Temporary Assistance to Needy Families (TANF), Food Stamps, Medicaid, General Relief, Energy Assistance, Job Opportunities and Basic Skills Training Program, and the Employment and Training Program. The fair hearing is an informal proceeding adjudicated by a hearing officer classified as a Public Assistance Program Officer. The hearing officer's decision may be appealed by the client to the Division Director. The Director's decision is the final administrative action and is subject to appeal to the Superior Court.
- Title 7 of the Alaska Regulations requires some divisions within the department to provide hearings. The OHA has been conducting those hearings.

FY2007 Resources Allocated to Achieve Results

FY2007 Component Budget: \$560,500	Personnel:	
	Full time	4
	Part time	1
	Total	5

Key Component Challenges

Continue to provide quality and impartial hearings and decisions despite an increase in hearings.

Significant Changes in Results to be Delivered in FY2007

There are no changes to the level of services provided.

Major Component Accomplishments in 2005

The Office held 216 fair hearings and issued 191 fair hearing decisions. The Office also issued 2 proposed decisions on facility rate appeals.

Statutory and Regulatory Authority

Alaska Statutes:

AS 47.07 Medical Assistance for Needy Persons

AS 47.08 Assistance for Catastrophic Illness and Chronic or Acute Medical Conditions

AS 47.25 Public Assistance

Social Security Act:

Title XVII Medicare

Title XIX Medicaid

Title XXI Children's Health Insurance Program

Alaska Administrative Code:

7AAC 43 Medicaid

7AAC 48 Chronic and Acute Medical Assistance

Code of Federal Regulations:

Title 42 CFR Part 400 to End

Title 45 CFR Part 200 to End

Contact Information

Contact: Janet Clarke, Assistant Commissioner

Phone: (907) 465-1630

Fax: (907) 465-2499

E-mail: janet_clarke@health.state.ak.us

Hearings and Appeals Component Financial Summary

All dollars shown in thousands

	FY2005 Actuals	FY2006 Management Plan	FY2007 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	344.1	463.0	493.8
72000 Travel	0.0	2.6	2.6
73000 Services	33.2	54.7	54.7
74000 Commodities	6.0	9.4	9.4
75000 Capital Outlay	0.0	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	383.3	529.7	560.5
Funding Sources:			
1002 Federal Receipts	81.7	57.6	61.4
1003 General Fund Match	227.2	461.6	488.6
1004 General Fund Receipts	0.4	10.5	10.5
1007 Inter-Agency Receipts	74.0	0.0	0.0
Funding Totals	383.3	529.7	560.5

Estimated Revenue Collections

Description	Master Revenue Account	FY2005 Actuals	FY2006 Management Plan	FY2007 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Federal Receipts	51010	81.7	57.6	61.4
Interagency Receipts	51015	74.0	0.0	0.0
Restricted Total		155.7	57.6	61.4
Total Estimated Revenues		155.7	57.6	61.4

**Summary of Component Budget Changes
From FY2006 Management Plan to FY2007 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2006 Management Plan	472.1	57.6	0.0	529.7
Adjustments which will continue current level of service:				
-FY 07 Wage Increases for Bargaining Units and Non-Covered Employees	7.7	1.1	0.0	8.8
-FY 07 Health Insurance Cost Increases for Bargaining Units and Non-Covered Employees	0.7	0.1	0.0	0.8
-FY 07 Retirement Systems Cost Increase	14.4	2.0	0.0	16.4
Proposed budget increases:				
-Risk Management Self-Insurance Funding Increase	4.2	0.6	0.0	4.8
FY2007 Governor	499.1	61.4	0.0	560.5

Hearings and Appeals Personal Services Information

Authorized Positions			Personal Services Costs	
	<u>FY2006</u> <u>Management</u> <u>Plan</u>	<u>FY2007</u> <u>Governor</u>		
Full-time	4	4	Annual Salaries	317,565
Part-time	1	1	COLA	8,789
Nonpermanent	0	0	Premium Pay	491
			Annual Benefits	166,995
			Less 0.01% Vacancy Factor	(40)
			Lump Sum Premium Pay	0
Totals	5	5	Total Personal Services	493,800

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Hearing Examiner	1	0	0	0	1
Hearing Officer	1	0	0	0	1
Law Office Assistant I	1	0	0	0	1
Public Asst Prog Off	2	0	0	0	2
Totals	5	0	0	0	5